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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,757	09/08/2003	Wayne Robert Heinmiller	AMT-9714C2	3905
25007	7590	03/15/2006	EXAMINER	
LAW OFFICE OF DALE B. HALLING, LLC 655 SOUTHPOINTE COURT, SUITE 100 COLORADO SPRINGS, CO 80906			TIEU, BINH KIEN	
		ART UNIT	PAPER NUMBER	
		2643		

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/658,757	HEINMILLER ET AL.
	Examiner BINH K. TIEU	Art Unit 2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 01 December 2005.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 23-32 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 28-32 is/are allowed.

6) Claim(s) 23-27 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartholomew et al. (U.S. Pat. #: 6,122,255) in view of Wong (U.S. Pat. #: 6,185,288).

Regarding claim 23, Bartholomew et al. (“Bartholomew”) teaches a method of routing an internet call over an Internet, comprising the steps of:

(a) determining if a long distance call is an internet call (col.26, lines 40-46); and

(b) when the long distance call is the internet call, routing the long distance call over an internet to a local access transport area and to a terminating line associated with a dialed long distance number (col.26, line 47 – col.27, line 22).

It should be noticed that Bartholomew fails to clearly teach the feature of routing a caller identification information over an advanced intelligent network to the terminating line. However, Wong teaches a method of routing caller identification data from calling terminal such as one of calling terminals 102-106, shown in figure 2a, to a called party terminal such as one of extension telephone terminals 132-136, shown in figure 2b via Internet such as packet switching network (PSN) (col.6, lines 40-56) using in-band or out-of-band signaling such as SS7 protocols signaling (col.22, lines 1-20). The caller ID information is presented to one of callee's terminal by local switch such as called agent (see col.22, line 66 through col.23, line12). The caller ID information may a text message such as "This is a call from C. K. Wong" displayed to called party (see col.21, lines 13-21).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the feature of routing a caller identification information over an advanced intelligent network to the terminating line, as taught by Wong, into view of Bartholomew in order to provide caller ID information service to internet call subscribers.

Regarding claim 24, Bartholomew further teaches limitations of the claim in col.10, lines 16-19.

Regarding claim 25, Bartholomew further teaches limitations of the claim in col.25, line 56-65.

Regarding claim 26, Bartholomew further teaches that the call is programmed to be completed through a remote central office (col.10, lines 13-23) such as destination Internet Module 74 (col.11, lines 12-49), and Siegrist forwarding caller ID information to the terminating line (col.5, line 66 – col.6, line 6).

Regarding claim 27, Bartholomew further teaches telephone terminals 56 and 58 are POTS or standard telephone terminals for initiating the long distance call (col.9, lines 24-35 and col.10, lines 1-7).

***Allowable Subject Matter***

4. Claims 28-32 are allowed.

***Response to Arguments***

5. Applicant's arguments, see Applicants' remarks, filed 12/01/2005, with respect to 23-32 have been fully considered and are persuasive. The rejections of 23-32 have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Wong (US Pat. #: 6,185,288) as presented above.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: [BINH.TIEU@USPTO.GOV](mailto:BINH.TIEU@USPTO.GOV).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

Art Unit: 2643

Any response to this action should be mailed to:

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In formation regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BINH TIEU  
PRIMARY EXAMINER

Art Unit 2643

Date: March 09, 2006